

Meeting Date: September 20, 2007
Name of Organization: NEVADA STATE BOARD OF AGRICULTURE
Date and Time of Meeting: September 20, 2007 9.00 am
September 21, 2007 8:30 am
Place of Meeting: Department of Agriculture
4780 E Idaho Street
Elko, Nevada 89801-4672

MINUTES

Board Members Present

George Botta
Jim Johnson
Deloyd Satterthwaite
Lawrence Waugh
Alan Perazzo
Ramona Morrison
Harvey Barnes
Dan Hetrick

Board Members Absent

Marta Agee
Dave Cassinelli
Benny Romero

Others Present

Chris Hellwinkel, Rancher, Elko
Rick Gimlin, Department of Agriculture, Division of Administration
Mark Jensen, USDA- APHIS- Wildlife Services, Division of Resource Protection
John Quirk, Spring Creek, Western States Petroleum Association
Jim Connelley, Department of Agriculture, Division of Livestock Identification
Holly Pecetti, Department of Agriculture, Division of Animal Industry
Anette Rink, Department of Agriculture, Division of Animal Industry
Doug Busselman, Nevada Farm Bureau
Don Alt, Nevada Livestock Association
Carey Perazzo, Fallon
Gina Session, Senior Deputy Attorney General, Representing the Board
Donna Rise, Department of Agriculture, Director
Wendy Stewart, Department of Agriculture, Division of Administration
Charles Moses, Department of Agriculture, Division of Plant Industry
Steve Grabski, Department of Agriculture, Division of Measurement Standards
Jeff Knight, Department of Agriculture, Division of Plant Industry
Meghan Wereley, Nevada Cattleman's Association
Dan Gralian, Nevada Cattleman's Association
John Carpenter, Assemblyman
Ed Foster, Department of Agriculture, Division of Plant Industry

Minutes

1. Call to order by Chairman Lawrence Waugh

2. Board Business

A. Self Introductions for meeting attendees

B. Thank You and Good Bye to Susan Ray

George Botta gave a Thank You and Good Bye to Susan Ray. He also requested that in the future the Governor send a Thank You letter to members leaving the Board. George then gave every one a (good bye) hug from Susan.

C. Welcome to Ramona Morrison

Lawrence Waugh welcomed Ramona Morrison, Ramona introduced herself and briefly described her background in agriculture.

D. Approval of Minutes from June 4 & 5 Meeting

Harvey Barnes moved to approve minutes as written, seconded by Dan Hetrick, and the motion passed. Discussion of new format, the short meeting minute's summary backed up by the full meeting minutes on a CD. The CD will be sent with minutes to all Board Members within a short time after meeting.

E. Board Goals and Objectives

George Botta suggested the possibility of carrying over short term goals. Lawrence Waugh reminded all that we have added a short term goal # 11 "To reach out to young people in the agricultural areas and to make an agenda item to allow for presentations from our youth." This goal will be discussed by the Board during the December meeting.

Rick Gimlin gave a brief update on the 2007 short term goals/ objectives.

Jim Johnson moved that that we defer the Goals and Objectives to the December meeting, seconded by Harvey Barnes, and the motion passed.

3. Director's Report

A. Carson Office

After reviewing cost of maintaining an office in Carson City and the number of employees located in the Carson City office, the decision was made to close the Carson City office and move Gary McCuin to the Reno office.

B. Board Appointments

Board Member terms for George Botta, Deloyd Satterthwaite and Alan Perazzo will expire on October 31, 2007. Appointment recommendations have been sent to the Governors Office; announcements are pending.

C. Policies

Existing policies have been distributed to the appropriate staff for review and recommendations. Once this is completed the policies will be provided to the Board.

- D. Communication
 - E. Youth Involvement
Department staff members are involved in a number of youth programs. However, it appears that we are talking to groups who are already involved with agriculture and perhaps efforts should be refocused to include agricultural elements to youth who are not already involved in agriculture.
 - F. War on Cheat Grass
The Department was assigned to this initiative by the Governor. A meeting is scheduled in October. At that time the Department of Wildlife will assume the lead on the initiative and the Department of Agriculture will assume a technical support role.
 - G. Assistance Program
 - H. Goals for Statewide Tour
 - I. National Association of State Departments of Agriculture (NASDA)
4. Division of Administration
- A. New Staff
 - 1. **Katie Dailey is the new account Technician 1**
 - B. Update on Audits
 - 1. Legislative Counsel Bureau Audit LA06-12
Rick Gimlin gave an update on the timeline and the progress reported to Paul V. Townsend, CPA, Legislative Auditor on September 7, 2007.
 - 2. Division of Internal Audits
Rick Gimlin gave a brief overview on this audit. The audit focused on the Board's statutory authority, grants management, accounting practices, medical marijuana, and estray horse management. The report includes the Department's response to the audit findings.
 - C. Budgets
 - 1. FY2008 Board of Agriculture Budget
 - 2. FY2008 Department Summary
 - 3. Travel Policy
This is a new policy. The policy addresses the state's adoption of the federal CONUS rates but not travel policies. There was not a concurrent increase in funding to agencies which will impact Department travel.
 - D. Division Report
 - 1. Accounting Department Reorganization

5. Animal Industry Division

A. Animal Disease Update

1. Foot and Mouth Disease in the UK
2. Bovine Tuberculosis
3. Brucellosis
4. Nellis Air Force Base Horse Mortality
5. United States Geological Survey Polonium 210 Study

Alan Perazzo complimented Dr. Anette Rink and the Department on the handling of the Polonium 210 incident.

B. Laboratory Update

1. Arbovirus Testing
2. Bighorn Sheep Update
3. T. Fetus Testing

C. National Animal Identification System (NAIS)

George Botta complimented Holly Pecetti on the outstanding job she has done with the National Animal Identification System.

6. Resource Protection Division

A. Division Update

B. Nevada Department of Wildlife's Predation Management Plan

Public Comments

Alan Perazzo, Dairy Farmers in Nevada, discussed the new California Only Milk Campaign.

Boyd Spratling, Nevada Cattleman's Association, discussed funding and the white paper on Big Horn Sheep and funding of the Predation Program; benefits the Cattleman

Lawrence Waugh, Petroleum Industry in Nevada, stated that many of his constituents have expressed their appreciation of the great Wildlife Services newsletter, they all enjoy reading it.

Break for lunch

5. Animal Industry Division **Continued**

D. Virginia Range Estray (VRE) management options

1. Range Carrying Capacity and Deterioration
2. Do Nothing
3. Population Limits and Controls
4. Immuno-contraception
5. Sale

Ramona Morrison moved that we go to the Governor to request funding for the capture and removal of horses to allow for a reasonable carrying capacity or sustainable number of animals (550). The request should include a provision for a 60 day holding period to facilitate adoption of

horses and then, if necessary, exercise our sale authority or exercise the option to assign the horses to the landowners if they refuse to allow capture of the horses on their land. In addition, the request should provide for use of immuno-contraception on the remaining herd population to maintain a sustainable herd size and provide for winter feeding. From a public relations point of view, this needs to be accomplished in a very proactive way.

Gina Session, Deputy Attorney General for the Board, felt that the agenda action item, as written does not allow the Board to take the proposed action as a motion. The point of an action item is to let the public know what action is going to be taken at the meeting, so that if they have an interest in that item they can attend the meeting and give public comment about the action that is going to be taken. To take an action, as stated, would be an Open Meeting Law violation. Gina Session, offered a couple of different suggestions:

1. A separate meeting with a new action item or
2. Direction to the Department without a motion.

George Botta and Lawrence Waugh both acknowledged Gina Session's effort to keep the Board within the Open Meeting Law. If action was taken at the last meeting then the Board can give direction.

Harvey Barnes seconded the motion.

Gina Session again suggested that the Board give direction to the Department to go to the Governor with the plans identified by Dr. Rink. Ramona Morrison rescinded her motion and instead made a strong recommendation to go forward with these items to the Governors office swiftly.

Gina Session again stated that if there is a consensus of the Board that this is the proper action for the Department to take, the Department can take note of that and go forward.

Harvey Barnes then recommended that the Department request money to remove horses from the Virginia Range down to approximately 550, hold the removed horses for 60 days for adoption, and then go to auction with any horses not adopted after 60 days. He also recommended the use of immuno-contraceptives on the balance of the horses and feeding of the remaining horses on the range through the winter.

Ramona Morrison added that if the private land owners cannot support these options, the Department should assign these horses to the land owners (if the Department has the right to sell the horses they surely have the right of assignment). She went on to say that none of this can happen without a very aggressive public relation campaign; Ramona Morrison offered her assistance with a public relation campaign.

Lawrence Waugh indicated a willingness to attend the meeting with the Governor and asked Donna Rise to schedule an appointment with the Governor as soon as possible.

7. Measurement Standards Division

- A. Senate Bill 324
 1. Thirty Eighth (38th) Parallel
 2. Variance
 3. Confidentiality

- B. Fuel Standards Environmental Coordination Committee (FSECC)
 - 1. Update from 8/28/07 Meeting
 - a. Clark County Fuel Change Proposal
 - b. Holly Corporation New Pipeline
- C. Continuity of Operations Plan (COOP) Update
- D. Employee News
 - 1. Rob Fisher was selected for Class Five (5) of the Nevada Certified Public Manager Program
 - 2. Bob Green was selected to attend a Train the Trainer session for package inspection. The training is sponsored by National Institute of Standards and Technology; there is no cost to Nevada.
- E. Weights and Measures Inspections
 - 1. Device Inventory 39,318
 - 2. Complete Year to Date 4,649
- F. GL Suite Program
 - 1. Measurement Standards Licensing and Payment Program (MSLP)
- G. Western Weights and Measures Association Report
 - 1. Update on the Western Weights and Measures Association Meeting Held September 9-13, 2007.
- H. Automatic Temperature Compensation
 - 1. What Is It?
 - 2. What Others Are Saying
 - 3. Is It Good For Nevada?
- I. Capitol Improvement Project Update (CIP)
 - 1. Elko Update
 - 2. Sparks 07-C20 Update
- J. Long Range Planning
 - 1. Las Vegas Update

Public Comment

Don Alt, Nevada Live Stock Association, asked if the moisture content in hay is similar to the temperature compensation in fuel.

Housekeeping Issues

Sexual Harassment Policy Signatures

Meeting recessed until Friday September 21, 2007 at 8:00 am

- A. Division Update
- B. New Staff
 - 1. Russell Dapsauski **is the new Southern Regional Manager**
 - 2. Tisa Halt Administrative Assistant III **changed her status from full time to part time**
 - 3. Noxious Weed Program, **Scott Marsh is scheduled to start October 8, 2007**
- C. Organic Certification
 - 1. Request to add Livestock Certification to Nevada's Organic Certification Program
 - 2. **Alan Perazzo asked who the Organic Advisory Council reports to? The Board requested Ed Foster prepare a white paper explaining how the council fits within the Department structure. Jim Johnson requested this be added as agenda item at the next meeting. Ramona Morrison made a motion to table this item until the next meeting, Dan Hetrick seconded and the motion carried.**
- D. Request adoption of Regulation LCB File Number R007-07 to rescind the European Pine Shoot Moth Quarantine. Request to include two additional administrative changes in NAC 554.
Dan Hetrick made a motion to adopt the regulation LCB File Number R007-07 to rescind the Pine Shoot Mouth Quarantine and to include the two additional administrative changes in the permanent changes, George Botta seconded, and the motion carried.
- E. Update on Fee Changes for Product Inspection Fees in NAC 587.340
- F. New Primary Principal Fingerprinting and Background Check statute changes
- G. EPA Third Quarter Report
- H. Safety Committee Update
Rick Gimlin stated that Chuck's becoming a Defensive Driving Instructor has been a great benefit to the Department. The Defensive Driving Class and his Fire Extinguisher Training have been very beneficial to the Department.
- I. Request to Go to Workshop and Hearing for New Pesticide Applicator Certification, Continuing Education Regulations in NAC 555.670
George Botta made a motion to go to workshop on the new Continuing Education Requirements on the Pesticide Applicator Certification, seconded by Jim Johnson, and the motion carried.
- J. Entomology Update

Housekeeping issues

George Botta added to the previous motion (item I.) to go to hearing on the new Continuing Education Requirements on the Pesticide Applicator Certification, seconded by Jim Johnson, and the motion carried.

9. Livestock Identification Division

A. Division Update

1. Staff Changes
2. Budget
3. Head Tax Collection
4. Brand Re-recording
5. FY2007 Statistics
6. Brand Board Advisory Meeting
7. Agricultural Enforcement Activities

B. Request to go to Workshop and Hearing on changes to NAC 565.210, Brand District Lines.

Request for Workshop and Hearing withdrawn until further notice.

10. Employee comments and suggestions to the Board of Agriculture

Wendy Stewart said thank you to the Elko staff for the wonderful food, meeting set up, and all the assistance organizing the Board meeting.

11. Public Comments

John Carpenter, State Assemblyman, Requested public notice of the Board meetings be posted in the outlying areas. It is important to know that the Board is coming to the outlying areas. Maybe post the agenda in the newspaper in the areas you will be meeting in and also send the agenda to the legislators in those areas. Assemblyman Carpenter would have liked to have been present for the discussion about the 38th Parallel.

Doug Busselman, Farm Bureau, Extended an Invitation to attend the 2007 Annual Convention to be held in Mesquite, Nevada at the Oasis Hotel, November 14th -17th, 2007. Policy deliberations will occur on the Thursday and Friday, November 15th and 16th. The Director will be speaking at this meeting.

Don Alt, Nevada Livestock Association, Expressed concern about the lack of livestock in Nevada, and requested that the Board of Agriculture confront the Federal government to seek a change within the state from the "State of BLM" to the "State of Nevada."

12. Travel Claims and Salary

13. Scheduling and Arrangements for next Board Meeting

Harvey Barnes made a motion to schedule the next Board meeting for December 11 and 12 in Las Vegas. George Botta discussed the process for the Director's evaluation and the short and long term goals He stated that the Board may need an extra half day or full day to address all this.

Ramona Morrison seconded Harvey Barnes' motion, the motion carried.

Harvey Barnes moved that the Chairman establish a subcommittee to review the short term objectives and goals and possibly review the long term goals as listed in the Board packet. George Botta seconded, the motion carried.

Lawrence Waugh asked for volunteers to form the sub committee to review the short term and long term goals. Sub committee volunteers include George Botta,

Minutes

Harvey Barnes, Alan Perazzo, Ramona Morrison, Jim Johnson, and Lawrence Waugh. The Board asked the Director to attend the committee and extended an invitation to the absent members of the Board. A request was made of Wendy Stewart to make reservations for this meeting partly since Las Vegas is very busy at this time of the year.

14. Adjournment

Motion made by Deloyd Satterthwaite to adjourn the meeting, seconded by Jim Johnson, and the motioned carried.